

DEVELOPMENT REVIEW COMMITTEE –June 9, 2020
CONDITIONS OF APPROVAL

105 N. Santa Cruz Avenue

Conditional Use Permit Application U-19-017

Requesting approval of a modification to an existing Conditional Use Permit for group classes located within an existing formula retail business (Athleta) on property zoned C-2. APN 510-17-067.

PROPERTY OWNER: Stahl Edward C Trustee

APPLICANT: Edward C. Stahl

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval listed below and in substantial compliance with the applicant's letter of justification (Exhibit 4), approved by the Planning Commission on September 10, 2008. Any changes or modifications shall be approved by the Director of Community Development, the Development Review Committee or the Planning Commission, depending on the scope of the change(s).
2. EXPIRATION: The Conditional Use Permit will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. LAPSE FOR DISCONTINUANCE: If the activity for which the Conditional Use Permit has been granted is discontinued for a period of one (1) year, the approval lapses pursuant to Section 29.20.340 of the Zoning Ordinance.
4. USE: This modification is for group classes within an approved national or regional formula retail business for the sale of high quality, and a significant mix of, men's and women's apparel and accessories. This excludes the sale of hardware, groceries, home furnishings, and general merchandise.
5. HOURS OF OPERATION: Maximum hours of operation are 7:00 a.m. to 10:00 p.m. daily.
6. NUMBER OF STUDENTS: The maximum number of students on site at any given time shall not exceed 21.
7. NUMBER OF EMPLOYEES/INSTRUCTORS: The maximum number of on-site group class employees/instructors shall not exceed six (6).
8. ROOFTOP EQUIPMENT: Any new roof mounted equipment shall be fully screened prior to issuance of an occupancy permit.
9. SIGNS: Exterior business sign(s) shall be compatible with the building style and consistent with the Commercial Design Guidelines. A sign permit from the Los Gatos Community Development Department must be obtained prior to any changes of existing signs or installation of new signs.
10. DISPLAY WINDOWS: Display windows must be periodically cleaned, maintained and changed. Display glass shall not be obscured in any way by any materials(s) or objects(s) affixed in any manner to the outside or inside surfaces of the glass, with the exception of the tenant's standard vinyl safety window logos and flyers for nonprofit organizations.
11. CERTIFICATE OF USE AND OCCUPANCY: A Certificate of Use and Occupancy from the

Los Gatos Community Development Department must be obtained prior to commencement of use.

12. BUSINESS LICENSE: A business license from the Los Gatos Finance Department must be obtained prior to the commencement of use.
13. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a condition of approval of all such permits and entitlements whether or not expressly set forth in the approval.